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August 31, 2023

The Honorable Eric N. Vitaliano
United States District Court for the Eastern District of New York
100 Federal Plaza
Central Islip, New York 11722

RE: *Northwell Health, Inc. v. Capital Blue Cross*
Case No. 2:23-cv-01362-ENV-AYS

Dear Judge Vitaliano:

As Your Honor is aware, we represent Defendant Capital Blue Cross (“Capital”) in the above-referenced matter. We write today to request an extension of two weeks for Capital to submit its Reply in Further Support of Its Motion To Dismiss, *i.e.* from **September 8th, 2023** to **September 22nd, 2023**. We request this extension because counsel for Capital has been waiting for a date to undergo a surgical procedure and last week was informed that the surgery date will be September 6th, 2023. Counsel will be in recovery and further unable to work for the remainder of that week. Capital has conferred with Plaintiff Northwell Health, Inc. (“Northwell”) and Plaintiff does not oppose Capital’s request. Capital has not sought any prior extension of its time to file its Reply, and this extension will not affect any other deadlines in this case.

Respectfully submitted,

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